

**MINUTES
UTAH
CONSTRUCTION SERVICES COMMISSION
MEETING**

April 25, 2007

**Room 474-4th Floor-9:00 A.M.
Heber Wells Building
160 East 300 South
Salt Lake City, Utah**

CONVENED: 9:00 AM

ADJOURNED: 11:00 PM

DOPL STAFF

F. David Stanley, *Director*
Dennis Meservy, *Bureau Manager*
Wayne Holman, *Investigations Supervisor*
Yvonne King, *Commission Secretary*
Clyde Ormond, *Bureau Manager (Bureau 6)*
Lenore Epstein, *Attorney General's Office*

MEMBERS PRESENT

Bradley Stevens, *Chairman & Electrical Board Chairman*
Wendy Gibbs
John Wilcox
Joel (Marty) Jolley
Carl Tippets
Steve Bowers
Larry Love

MEMBERS EXCUSED

Robert Dudley, *Plumber's Board Chairman*
Floyd Jackson

VISITORS

Eric Eastlyn, *Contractor's School, Inc*
Ross Ford, *Home Builders Association*
Vern Peterson, *International Code Council*
John Robb, *Hauling Handyman Services*

MINUTES

Joel Jolley made a motion to approve the minutes for the March 2007 Commission Meeting. Larry Love seconded the motion and all members voted in favor.

**PROPOSED CONTINUING
EDUCATION CHANGES**

Dennis Meservy reviewed the proposed changes to the continuing education administrative rule. Ross Ford wanted the board to understand the proposed continuing education rule would require the qualifier to take the continuing education.

The commission discussed the qualifier having to take the continuing education and 58-55-304 (4) of the code that outlines the duties of a qualifier. The commission did not appear to agree that a qualifier could not delegate duties as outlined in the code or favor a change from the present administrative rule that allows continuing education to be taken by the licensee, qualifier or an officer, director or supervising individual, as designated by the licensee. Other proposed changes involved the content for core and professional education and qualifications for continuing education providers. Brad Stevens suggested the commission study the proposed changes and be prepared to discuss them at the next commission meeting in May.

INVESTIGATIONS

Wayne Holman submitted a report on criminal misdemeanor filings, criminal felony filings, administrative filings, citation fines, administrative fines, cases received, cases assigned, cases closed, citations issued, site surveys, building inspectors contacts, MHRV inspections, owner/builder permits received, owner/builder investigations and letters of warning. This report gave a comparison for the years 2003 to March of 2007.

DISCIPLINARY REVIEW

John Cal Robb
DBA Hauling Handy Man Services

John Cal Robb in April of 2005 entered into a Memorandum of Understanding and Order that placed him on probation for three years and required he meet with the commission in two years. Robb indicated he has not violated his probation. The commission informed Robb, unless they told him otherwise, he would not need to meet with them again.

Amigo Property Services, LLC

Meservy presented an Order of Dismissal to dismiss the notice of agency action and hearing and petition, without prejudice, against Amigo Property Services, LLC. The company had been operating without a qualifier and the issue was resolved when Guillermo Tiscareno became the qualifier for Amigo. Love made a motion to approve the dismissal. John Wilcox seconded the motion and all members voted in favor.

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AK&R Whipple Plumbing & Heating

The commission during this meeting was scheduled to hear the allegations against AK & R Whipple Plumbing & Heating. However, the matter was resolved through a stipulated agreement just prior to the meeting. Lenore Epstein presented a Stipulation and Order for AK&R Whipple Plumbing & Heating. Whipple or the Respondent is licensed as a residential and small commercial contractor, general plumbing contractor and a heating, ventilation and air conditioning contractor. These licenses were revoked and Respondent was fined \$10,000. The revocation of the licenses and \$7,000 of the fine, however, were suspended. The remaining \$3,000 of the fine was to be paid within 30 days. The above mentioned contractor licenses were placed on probation until November 30, 2009. Respondent agreed, in part, payments for building permits would be made in the form of electronic check, electronic transfer of funds, cash or cashier check. Respondent before commencing work would obtain all required permits and inspections. Respondent would come into compliance with current building code and permitting law violations within six months. Love made a motion to approve the stipulation. Steve Bowers seconded the motion and all members voted in favor.

All business concluded meeting adjourned.

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

(ss) Brad Stevens
Commission Chairman Signature

05/30/2007
Date

(ss) Dennis Meservy
Bureau Manager Signature

05/30/2007
Date